

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

AVERY JAMES HARDAWAY	:	CIVIL ACTION
	:	
v.	:	NO. 24-1801
	:	
RAYMOND J. HARDAWAY,	:	
METROPOLITAN POLICE	:	
DEPARTMENT OF THE DISTRICT	:	
OF COLUMBIA	:	

ORDER

AND NOW, this 6th day of May 2024, upon reviewing the pro se Complaint (ECF No. 2) after granting leave to proceed without paying filing fees (ECF No. 5) consistent with our obligations to screen under 28 U.S.C. § 1915(e)(2)(B), noting Plaintiff identifies the basis for our jurisdiction as a federal question and diversity jurisdiction based on conduct involving a tracking device surveilling him but failing to plead our limited subject matter jurisdiction as we lack diversity as currently pleaded and the Plaintiff does not identify a federal question, and for reasons in today's accompanying Memorandum, it is **ORDERED** the Complaint (ECF No. 2) is **DISMISSED** for lack of subject matter jurisdiction with leave to file an amended Complaint if Plaintiff can plead a federal question or diversity jurisdiction under the law in an amended Complaint filed no later than **May 24, 2024** or we will then direct the Clerk of Court to close this case without prejudice to timely seek relief in state court.



KEARNEY, J.